



07-11-02

Patent  
Attorney Docket No. 98-027  
Express Mail No. EV068611323US

AMENDMENT TRANSMITTAL LETTER

2877

IN RE THE APPLICATION OF: Verne C. Hornbeck and Derryl D.J. Allman

SERIAL NO: 09/217,183

DATE FILED: December 21, 1998

FOR: On-Chip Graded Index of Refraction Optical Waveguide and Damascene Method of Fabricating the Same

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

TRANSMITTED HERewith IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

[X] Response to Third Office Action

FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING AFTER AMENDMENT	(COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY	
				RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL:	15	- 29	** 0	X \$9 =	\$0.00	OR	X \$18 =	\$0.00
INDEP:	2	- 3	*** 0	X \$40 =	\$0.00	OR	X \$80 =	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS				+ \$130 =		OR	+ \$260 =	
ADDITIONAL FEES				TOTAL:	\$0.00	OR	TOTAL:	\$0.00

\*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

\*\*IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

\*\*\*IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

[ ] PLEASE CHARGE DEPOSIT ACCOUNT NO. 12-2252 IN THE AMOUNT OF \$\_\_\_\_\_ FOR THE ADDITIONAL FEES. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

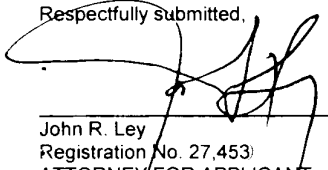
[X] THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 12-2252. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

[X] ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.

[X] ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

Dated at Greenwood Village, Colorado, this 10<sup>th</sup> day of July, 2002.

Respectfully submitted,

  
\_\_\_\_\_  
John R. Ley  
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ATTORNEY FOR APPLICANT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
Verne C. Hornbeck and	)	
Derryl D.J. Allman	)	
	)	Group Art Unit: 2877
Serial No. 09/217,183	)	
	)	Confirmation No.: 8652
Filed: December 21, 1998	)	
	)	Examiner: L. G. Lauchman
For: ON-CHIP GRADED INDEX OF	)	
REFRACTION OPTICAL WAVEGUIDE	)	
AND DAMASCENE METHOD OF	)	
FABRICATING THE SAME	)	

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the attached Amendment Transmittal Letter; Response to Third Office Action; Certificate of Mailing by Express Mail; and Return Card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EV068611323US, with the United States Postal Service, addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 10<sup>th</sup> day of July, 2002.

7/10/02  
\_\_\_\_\_  
Date

7/10/02  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Mailer

\_\_\_\_\_  
John R. Ley  
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WAVEGUIDE AND DAMASCENE	)	
METHOD OF FABRICATING	)	
THE SAME	)	

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RESPONSE TO THIRD OFFICE ACTION

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Reconsideration of the objections and rejection stated in the Office Action mailed April 10, 2002, is respectfully requested.

In the Claims:

Part 1 of this Response presents the Pending Claims 1-12 and 27-29 in clean form.

The pending claims are not amended from their previous form in this Response, so the pending claims are not presented with markings and indications to show changes over their previous form.

Part 2 of this Response contains Remarks concerning the April 10 Office Action and the patentability of the pending claims.